12-00 NOON

† Sri M. V. RAMA RAO.—Sir, as you have been pleased to inform the House, Government proposed to refer this Bill to a Joint Select Committee. Therefore, I do not propose to take much time to make a reply to the various points that have been raised by the Hon'ble Members who have anticipated in the debate on the motion for consideration of this Bill. But I must take this opportunity of saying that some of the apprehensions which have been expressed are not justified. We may ordinarily take it that, if a High Court makes a recommendation that a Munsiff's Court with ordinary pecuniary jurisdiction of Rs. 5000 is to be invested with jurisdiction upto Rs. 10,000, it should be depended upon to make such a recommendation only in suitable cases. At the same time, we must not ignore the fact that at present in certain areas of this State the Court corresponding to a Munsiff's Court under this Bill is in fact having pecuniary jurisdiction extending upto Rs. 10,000 and we cannot, as I said, also ignore the fact that at present there are courts corresponding to Munsiff's Courts under this Bill whose pecuniary jurisdiction is just Rs. 3,000 and so on and so forth. Therefore, while the Bill provides for making the pecuniary jurisdiction of Munisiffs' Court uniform in so far as it is possible, it also does provide for preserving the pecuniary jurisdiction in respect of certain courts upto Rs. 10,000, because we must remember that these courts have a background in relation to their establishment and functioning. The pecuniary jurisdiction and territorial jurisdiction of courts as such have to be determined with reference to various factors, every one of which would have to be considered not merely by the High Court but also by the Government. I, of course, concede that the Bill can be inproved here and there; I do not assert that it has reached a stage now when it is incapable of further improvement and I may assure that every suggestion that has been made by the Hon'ble Members who have particpated in the debate will be given due consideration when the provisions of the Bill be given due consideration in the Select Committee.

MR. SPEAKER.—The question is:

"That the Mysore Civil Courts Bill, 1962 be taken into consideration."

The motion was adopted.

Motion to refer to a Select Committee.

Sri M. V. RAMA RAO.—Sir, I move:

"That the Mysore Civil Courts Bill, 1962 be referred to a Joint Select Committee Cousisting of a total number of 20 members (15 from this House and 5 from the Legislative Council) that the concurrence of the Legislative Council be obtained therefor and that the following members of this House shall be members of the joint Select Committee, namely:

Sriyuths:

1. Angadi Channabasappa
2. B. L. Gowda
3. V. S. Patil
4. S. M. Krishna
5. Andanaiah
6. Y. Ramakrishna
7. K. Venkataramana Gowda
8. C. S. Hulkoti
9. B. Y. Neele Gowda
10. H. C. Boraiah
11. M. C. Badappa
12. Sirasappa Ijari
13. S. V. Patil
14. M. Ghouse Mohiuddin
15. C. M. Patel."

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11. M. C. Badappa
12. Sirasappa Ijari
13. S. V. Patil
14. M. Ghouse Mohiuddin
15. C. M. Patel."

Under sub-rule (2) of rule 240 of the Rules of Procedure, the Minister for Law who is also in charge of the Department to which the Bill relates will be a member of the Joint Select Committee.

The motion was adopted.

MYSORE SMALL CAUSE COURTS BILL, 1962.

Motion to Consider.

Sri M. V. RAMA RAO (Minister for Law).— Sir, I beg to move that the Mysore Small Cause Courts Bill, 1962 be taken into consideration.

MR. SPEAKER.—Motion moved :

"That the Mysore Small Cause Courts Bill, 1962 be taken into consideration."

Sri M. V. RAMA RAO.—Sir, at present there are three different enactments relating to Small Cause Courts which are in force in ihe different areas of this State. The Mysore Small Cause Courts Act, 1330F are in force in the Mysore and Hyderabad areas and the Provincial Small Cause Courts Act, 1887 is in force in the Bombay and Madras areas and Coorg District. The object of this Bill is to provide a uniform law applicable to the Small Cause Courts in the entire State. The present Bill is modelled on the Provincial Small Cause Courts Act, 1887 and taking into consideration the recommendation made by the Law Commission, the necessary Provisions have been incorporated.

The salient features of this Bill are that the pecuniary jurisdiction of the Small Cause Courts would be extended higher up from Rs. 50 to Rs. 200 and Rs. 500 and from Rs. 1,000 to Rs. 2,000 in the case of courts of different categories. I commend the Bill for the consideration of the house.

MR. SPEAKER : The question is :

"That the Mysore Small Cause Courts Bill, 1962 be taken into consideration.

The motion was adopted.

Motion to refer to Select Committee.

Sri M.V. RAMA RAO.—Sir, I move :

"That the Mysore Small Cause Courts Bill, 1962 be referred to a Joint Select Committee consisting of a total number of 20 members (15 from this House and 5 from the Legislative Council) that the concurrence of the Legislative Council be obtained therefor and that the